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General Assembly

FORTY-SIXTH SESSION

*Official Records*

THIRD COMMITTEE
4th meeting
held on
Tuesday, 8 October 1991
at 10 a.m.
New York

# SUMMARY RECORD OF THE 4th MEETING

Chairman: Mr. AL-SHAALI (United Arab Emirates)

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A/C.3/46/SR.4
10 October 1991

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The meeting was called to order at 10.05 a.m.

AGENDA ITEM 92: ELIMINATION OF RACISM AND RACIAL DISCRIMINATION (continued) (A/46/3 (chap. IV, sect. A), A/46/18, 166, 183, 184, 344, 391, 447, 465, 493 and 501; A/C.3/46/2; E/1991/39)

AGENDA ITEM 93: RIGHT OF PEOPLES TO SELF-DETERMINATION (continued) (A/46/166, 184, 292, 294, 304, 344, 459 and 501)

1. Mr. BERNALES BALLESTEROS, Special Rapporteur, introducing the report of the Commission on Human Rights on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination (A/46/459), said that there had been steady progress towards a political solution to the armed conflicts in southern Africa in the past 12 months. Peace treaties had been signed, cease-fire agreements had been reached and negotiations had begun on questions of substance. As a result, armed conflicts had diminished or ceased, with the result that mercenary activities had declined sharply.

2. In Angola, the signing of the Estoril Protocol by the Angolan Government and UNITA had put an end to a long conflict. The demilitarization of the country was continuing as planned, a multiparty system had been created, and general elections were scheduled for 1992; all those factors would help put an end to illegal mercenary activities, which had flourished in Angola for so many years.

3. The armed conflict between the Government and the guerrilla organization RENAMO in Mozambique, was characterized by interference by foreign Powers and the active presence of mercenary groups, and despite negotiations, the war was continuing.

4. In South Africa, the Government of President De Klerk had begun a process of democratization, and the Parliament had repealed the Land Acts, the Group Areas Act and the Population Registration Act, thereby removing the three legal pillars of apartheid. At the same time, 1,000 political prisoners had been released. But those promising developments did not mean that the process was irreversible. In the white population, a number of racist organizations and paramilitary groups had emerged and been joined by mercenaries in a concerted effort to prevent the dismantling of the apartheid system. International pressure and the anti-apartheid measures adopted by the United Nations must be maintained until apartheid was totally eradicated. It was also important to investigate and punish the crimes committed by mercenary groups in the context of the apartheid system and acts of aggression against the sovereignty of other countries in which such groups had been involved.

5. It was unfortunate that only Suriname, Seychelles and Togo had completed the procedures for becoming parties to the International Convention against the Recruitment, Use, Financing and Training of Mercenaries and that only 15

(Mr. Bernales Ballesteros)

States had signed that instrument. He urged Member States to adhere to the Convention, whose implementation was essential for guaranteeing the right to self-determination and effectively combating mercenary activities.

6. Acts committed by drug traffickers, and by armed groups which spread terror among the population, with their devastating effect on human rights, had increased in recent years at an alarming rate. In that context, States must bear in mind their obligation to protect and promote human rights, even when threatened by armed groups revolting against society. That obligation also applied to individuals and groups that sought to justify terrorism, assassination, torture, kidnapping, the destruction of the economic and political infrastructure and the cultural heritage of a people and other systematic human rights violations by invoking ideology or by claiming that their action was aimed at creating a better society. In many cases, such persons or groups were operating in association with drug traffickers or mercenaries.

7. The international détente offered a unique opportunity to make irreversible the recent progress made in achieving peace in many parts of the world. In the case of Angola, the United Nations must reiterate its condemnation of foreign intervention and the presence of mercenaries; the right of the Angolan people to the full enjoyment of their sovereignty, self-determination, development and democracy must be guaranteed; and implementation of the Estoril Protocol must be monitored. Support for the peace endeavours and negotiations between the Government of Mozambique and RENAMO must be intensified, so that the cease-fire agreements reached in respect of certain corridors might be extended to other areas of the territory of Mozambique and effectively implemented. In South Africa, even though apartheid was being dismantled, the Government of South Africa must focus attention on the appropriateness of conducting exhaustive inquiries into criminal acts that violated the sovereignty and self-determination of other peoples.

8. Taking into account the policy of dismantling apartheid being implemented by President De Klerk, the report recommended that encouragement be given to that process within a context of broad support for the right of the South African people as a whole to freedom and to legal, political, social and economic equality without any discrimination and that emphasis be placed on the risks of the current process being reversed as long as racist organizations were permitted to be established and to carry out activities, including the formation of paramilitary groups and the contracting of known mercenaries.

9. All Member States must be urged to consider ratifying or acceding to the International Convention against the Recruitment, Use, Financing and Training of Mercenaries.

(Mr. Bernales Ballesteros)

10. The Special Rapporteur had concluded, following an analysis of the issue and a review of a number of reports, that there were, indeed, groups that had been identified with illegal practices, including the use of terror to intimidate individuals and populations, and the United Nations must therefore continue to consider the issue as a matter of high priority until it found the most appropriate legal framework and punitive measures to be applied under international and domestic legislation against groups that spread terror among populations. Member States and intergovernmental and non-governmental organizations must be reminded that respect for human rights was a universal principle that did not admit of any exceptions.

11. Dr. GALAL (Arab Republic of Egypt) said that combating all forms of discrimination, particularly racial discrimination, merited priority attention, and that any society founded upon discrimination should be severely condemned. Having served as a refuge for the oppressed ever since biblical times, Egypt, which was also a sanctuary of three religions, prided itself on having pioneered the philosophy of brotherhood between men. He congratulated Nadine Gordimer, the winner of the 1991 Nobel Prize for Literature, and praised her moral courage and contribution to the struggle against apartheid in South Africa. His delegation looked forward to the day when it could express similar sentiments to an Israeli citizen who had championed the cause of the Palestinians and criticized the Israeli Government for the suffering caused by its policies in the occupied territories.

12. The will of the South African people, international support and the changed world economic and political climate had been three major factors in the collapse of the racist South African regime. However, his delegation advocated a continuation of sanctions until the final eradication of apartheid. He appealed to all Member States to support implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination and to that end, to strengthen the resources of the Centre against Apartheid and the Centre for Human Rights.

13. The principle of self-determination had been responsible for creating new States and liberating entire continents from the yoke of imperialism. His delegation hoped that the newly-independent States would wholeheartedly endorse the same right and principle for those people still striving for self-determination, notably in South Africa and Palestine. The Palestinian people was still awaiting implementation of the United Nations resolutions affirming its right to self-determination and sovereignty. He urged all peace-loving nations to support it in its struggle against occupation so that it might eventually assume its rightful place at the United Nations along with the legitimate representatives of South Africa. Finally, he reiterated Egypt's advocacy of peace based on equality, tolerance and the outlawing of all forms of discrimination.

14. Mr. JIN Yongjian (China) noted that the past year had been one of great significance in the struggle against racism and apartheid. Following the

(Mr. Jin Yongjian, China)

independence of Namibia, the Angolan Government and UNITA had signed a peace agreement, ending many years of civil war. With the support of the international community, the South African people had made important progress in its struggle, and the South African authorities had abolished a number of apartheid laws, thereby taking a major step towards complete abolition of the apartheid system. But political measures would not solve the fundamental question of inequality in education, employment, political participation and social status. The casualties resulting from violent clashes between various competing groups were another cause for concern. At that crucial point in the struggle being waged by the people of South Africa, the international community must maintain its pressure on the South African regime until it took measures to remove obstacles to negotiations on a new Constitution based on racial equality that would pave the way for a political settlement, eradicate the apartheid system and build a unified and democratic South Africa.

15. Over the past year, the United Nations had made new advances in implementing the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination, but many problems persisted. Some programmes of the 1985-1989 mid-term plan had yet to be put into practice, and the 1990-1991 plan was also facing financial difficulties, as exemplified by those which had plagued the Committee on the Elimination of Racial Discrimination (CERD). It was to be hoped that the United Nations would continue to give priority to the Programme of Action for the Second Decade and adopt feasible measures to resolve its financial problems.

16. The work of the Committee on the Elimination of Racial Discrmination should receive more support, and the organizations and States parties to the Convention should formulate plans to enable the Committee to operate normally. The Committee should consider the proposals for starting the Third Decade to Combat Racism contained in the relevant resolutions of the Economic and Social Council and the Commission on Human Rights and prepare to draft new programmes.

17. Since China was a country of many nationalities, the Chinese Constitution explicitly provided that all nationalities were equal, and the State protected the rights and interests of all minority nationalities and prohibited discrimination. The policy adopted by his Government to ensure equality, unity and regional autonomy for all nationalities, as well as prosperity, had achieved good results in the political, economic, cultural and social fields. It was China's consistent position that all peoples were equal, irrespective of race, colour or size of population. China had always opposed apartheid and racial discrimination, and it firmly supported the South African people in its just struggle against apartheid and racial discrimination.

18. Recognizing the right of peoples to self-determination meant respecting the sovereignty, independence and territorial integrity of all countries and allowing the people of each country to choose their own political system and decide their own destiny in keeping with the actual conditions in the

(Mr. Jin Yongjian, China)

country. Maintaining national independence and self-determination, safeguarding national sovereignty and territorial integrity and opposing foreign interference and control guaranteed a State's survival and were the prerequisites for a people's full enjoyment of human rights and fundamental freedoms. China and many third world countries attached great importance to the principle of the right of peoples to self-determination as a guarantee of their political independence and economic development.

19. He enumerated some of the recent positive developments in the international situation drawing attention to the political settlements reached in Namibia and Afghanistan, the end of foreign occupation and the restoration of the legitimate Government in Kuwait and the political negotiations aimed at settling the Cambodian question. It was to be hoped that the resumed Paris Conference on Cambodia would be held on schedule and that it would achieve a comprehensive political settlement on the basis of the framework document of the five permanent members of the Security Council which would enable Cambodia to put an end to a protracted war, restore its independence and embark upon the road to nation-building. China would continue to work towards such a settlement.

20. The question of the right to self-determination of the Palestinian people had remained unresolved for more than 40 years. His Government had consistently supported the just cause of the Palestinian and other Arab peoples in their struggle to recover their lost territories and their national rights. Security Council resolutions 242 (1967) and 338 (1973) and other relevant resolutions constituted the foundation for a fair and reasonable settlement of the Middle East question. The occupied Arab territories must be returned and the legitimate national rights of the Palestinian people restored. Israel must implement the relevant United Nations resolutions and stop repressing the Palestinian inhabitants and establishing Jewish settlements in the occupied territories. China supported the parties concerned in the Middle East in their endeavours to achieve a lasting peace in the region through bilateral and multilateral negotiations.

21. Mr. RUIZ DIGIORGO (Chile) said that Chile, where all forms of racial discrimination were illegal, condemned all manifestations of racism. His Government therefore welcomed the recent developments in South Africa; it was confident that peaceful negotiations would lead to the implementation of the reforms needed to dismantle apartheid once and for all and that democracy based on the will of the people and the principles of the Charter of the United Nations and the Universal Declaration of Human Rights would prevail. Chile supported all measures taken in the framework of the United Nations to achieve those objectives and to ensure compliance with the relevant international instruments. His Government welcomed the effort being made in South Africa to bring about a free, democratic and non-racist society and would continue to work for a complete eradication of the apartheid regime.

22. The right to self-determination of peoples had assumed increasing importance in recent years. The international community could no longer

(Mr. Ruiz DiGiorgo, Chile)

remain indifferent to violations of the sovereign will of peoples as a result of coups d'état, putches and insurrections. His Government supported the position of the Organization of American States with respect to the coup d'état in Haiti. It was to be hoped that a dialogue between the various political and social forces of Haiti would result in the restoration of democracy.

23. Chile welcomed the fact that Estonia, Latvia and Lithuania, in exercise of their right to self-determination, had recovered their independence and sovereignty. The map of the world was being redrawn in accordance with principles contained in the Charter of the United Nations. It was to be hoped that the process would continue.

The meeting rose at 11 a.m.

UNITED NATIONS

General Assembly

FORTY-SIXTH SESSION

*Official Records*

THIRD COMMITTEE
5th meeting
held on
Wednesday, 9 October 1991
at 10 a.m.
New York

# SUMMARY RECORD OF THE 5th MEETING

Chairman: Mr. AL-SHAALI (United Arab Emirates)

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14 October 1991

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The meeting was called to order at 10.05 a.m.

AGENDA ITEM 92: ELIMINATION OF RACISM AND RACIAL DISCRIMINATION (A/46/3 (chap. IV, sect. A), A/46/18, 166, 183, 184, 344, 391, 447, 465, 493, 501; A/C.3/46/2; E/1991/39)

AGENDA ITEM 93: RIGHT OF PEOPLES TO SELF-DETERMINATION (A/46/166, 184, 292, 294, 304, 344, 459, 501)

1. Mr. PARSHIKOV (Union of Soviet Socialist Republics) said that it had become more urgent than ever to eradicate racism, racial discrimination and apartheid, which bore the seeds of national and regional strife.

2. The efforts of the international community to combat the inhuman apartheid regime had continued to yield results. The dialogue between the Government of South Africa and the African National Congress had been stepped up, the release of political prisoners had begun, many previously banned organizations had been legalized, and those three pillars of apartheid, the Land Acts, the Group Areas Act and the Population Registration Act, had been repealed (A/46/459, para. 112). There was therefore reason to hope that apartheid would be eradicated, not only de jure but also de facto, in the not-too-distant future. But the current period was fraught with dangers, and all parties concerned must show political wisdom in seeking a solution that would guarantee South Africa's peaceful transition to a united, non-racial and democratic system of government. In the view of his delegation, the agreement signed in September 1991 by more than 50 major organizations in South Africa on the prevention of violence in the country was an important step towards making irreversible the process that had begun.

3. Racism and racial discrimination, which often took on more insidious forms, were frequently encountered in employment, housing and immigration policies. Their targets could be ethnic groups, indigenous peoples, immigrants or refugees. Experience had shown that no country was in a position to claim complete immunity from such conflicts. For that reason, every country must promote understanding among races and nationalities and respect for the rights and freedoms of all.

4. In the Soviet Union, the past few years had seen a turbulent national renewal that had culminated in the declaration of independence and national sovereignty of the majority of the republics composing the USSR. Although welcome, such developments were often accompanied by strife between nationalities. His Government therefore considered it vital to establish effective political and legal mechanisms that promoted harmony among the various nationalities in the USSR on the basis of equality for all peoples and citizens, regardless of race or national origin.

5. In that context he drew attention to the declaration on human rights and freedoms adopted in September 1991 at the extraordinary session of the

(Mr. Parshikov, USSR)

Congress of People's Deputies of the USSR prohibiting any restrictions or preferential treatment on the basis of race or nationality. The Soviet Union had recently made the declaration provided for in article 14 of the International Convention recognizing the competence of the Committee on the Elimination of Racial Discrimination to consider communications from individuals or groups that considered their rights to have been violated. In taking that decision, his Government was convinced that respect for human rights in the Soviet Union must meet the highest international standards and that all forms of discrimination must be eliminated.

6. Mr. SAHRAOUI (Algeria) said that racism and racial discrimination, supported for many years by pseudo-scientific theories, represented crimes against humanity. Apartheid, based on the idea of exclusivity and the exploitation of a majority by a minority, was the worst form of racism. As a result of the international community's increasingly firm action, combined with the struggle of the South African people, led by the African National Congress, the Government of South Africa had begun to adapt to current realities and was taking a more pragmatic approach than in the past.

7. Noteworthy among recent developments were the granting of independence to Namibia, the liberation of Nelson Mandela and the rescinding of the basic legal pillars of apartheid. Nevertheless, in spite of those encouraging signs, the situation in South Africa remained troubled. The violence currently raging in the townships, provoked by groups which supported the status quo, was a matter of serious concern. Furthermore, of the five measures needed to create the necessary climate for negotiations, as set forth in the Declaration on Apartheid and its Destructive Consequences in Southern Africa (General Assembly resolution S-16/1, annex), only certain ones had been implemented, and some only partially. Accordingly, his delegation strongly encouraged the Government of South Africa to apply in full the provisions of the Declaration and to review the Constitution in the light of the principle of equal citizenship for all.

8. At a time when the world was undergoing profound changes and there were an increasing number of victories in the field of human rights, a policy of oppression and colonization, based on the Zionist doctrine of ethnic superiority and religious ideology and engendering discrimination and hate, continued to be carried out in Palestine and the occupied Arab territories. The Government of Israel continued to practise discrimination and oppression and to demonstrate its intransigence. The Zionist regime was only able to maintain its arrogant posture with the support of certain countries, which were more concerned with their own interests than with showing solidarity within the international community. That attitude encouraged Israel to pursue its policy of imposing new conditions in response to every constructive overture made by the Palestinians, a policy which could only jeopardize the chances for convening an international peace conference on the Middle East. For their part, the Palestinians, under the leadership of the Palestine Liberation Organization, had taken significant steps towards reconciliation.

(Mr. Sahraoui, Algeria)

In the view of his delegation if the international community truly wished to establish a new world order, based on a strict and non-selective application of the Charter and of the relevant resolutions, it would recognize the inalienable rights of the Palestinian people to self-determination and to an independent State on its own territory.

9. For decades, migrant workers from the third world had been exploited by the industrialized countries, even while contributing to their prosperity. In certain host countries, particularly in Europe, migrant workers and their families were frequently assaulted and had become targets for demagogic politicians. Accordingly, his Government called upon those countries to strengthen the measures aimed at preventing such acts, in accordance with the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (General Assembly resolution 45/158, annex) and to apply systematically the sanctions provided for under their national legislation to those persons who stirred up racial intolerance. Host countries must also strive to create the socio-economic climate which would promote tolerance between groups.

10. The conflict in Western Sahara, which had given rise to so much suffering and destruction, was finally moving towards a solution, namely, the free exercise by the Saharan people of its right to self-determination, in accordance with the Charter. His country, which spared no effort in the search for a just and lasting solution to the conflict, firmly endorsed the efforts of the Secretary-General and the work of the United Nations Mission for the Referendum in Western Sahara (MINURSO), established by Security Council resolution 690 (1991) and responsible for implementing the referendum. It urged the parties concerned to do everything possible to facilitate the work of MINURSO and to avoid any action that might impede the referendum. A definitive solution to the conflict would be decisive for the stability and security of the region.

11. Mr. TROTTIER (Canada) said that cultural diversity was at the heart of Canadian society, which was composed of almost every nationality represented in the United Nations. Under the Constitution, the interpretation of equality rights must respect that multicultural heritage. His Government had recently announced, in its proposals for a new Constitution, the need to create a federation that could unite Canadians while leaving room for diversity. The new Constitution would also provide special recognition for the rights of aboriginal peoples within Canada and for the contribution of peoples from many cultures and lands.

12. But the elimination of racism was also the responsibility of citizens themselves, whether in their communities, at their workplace, in their homes or in their schools, and that was the approach Canada had taken in commemorating 21 March, the International Day for the Elimination of Racial Discrimination. The Canadian Centre for Police Race Relations had recently been established to promote understanding between the police and Canada's

(Mr. Trottier, Canada)

minority and aboriginal communities. Similarly, federal, provincial and municipal governments worked with those communities to address race-relation problems.

13. In November 1991, Canada would submit its eleventh report to the Committee on the Elimination of Racial Discrimination (CERD). Encouraging progress had been made in the General Assembly and the Commission on Human Rights to ensure that CERD had access to the resources it needed to carry out its important mandate. Canada encouraged all States that had not yet done so to ratify the International Convention on the Elimination of All Forms of Racial Discrimination as soon as possible.

14. Speaking recently before the plenary Assembly, the Secretary of State for External Affairs of Canada had stated that a decision by the General Assembly to rescind the infamous resolution equating zionism and racism would send a powerful and positive signal.

15. At long last, South Africa was moving to dismantle apartheid and create the climate in which negotiations on genuine non-racial democracy could take place. But some aspects of apartheid persisted.

16. The Commonwealth Committee of Foreign Ministers on Southern Africa, meeting in London in February 1991, had developed a "programmed management approach" linking any change in sanctions to real steps towards dismantling apartheid. Meeting in New Delhi in September 1991, it had sought to sustain pressure for further change by setting up a programme to remove sanctions as the situation evolved. Recognizing that significant changes had already occurred, the Committee had recommended to the Commonwealth Heads of Government, who would meet in Harare in the coming week, the lifting of sanctions on consular and visa restrictions on South Africans, boycotts on cultural and scientific contacts, restrictions on tourism promotion and bans on direct air-links and related agreements. But it had recommended the maintenance of trade and investment sanctions until appropriate transitional mechanisms had been agreed upon that would enable all the parties to participate fully in negotiations. Financial sanctions, which the Committee had considered the most effective of all, should be maintained until the drafting of a new, democratic constitution had been concluded, unless the negotiating parties jointly requested earlier action. The Commonwealth measures in support of the United Nations arms embargo should be maintained until a new, post-apartheid Government was firmly established.

17. The recently signed National Peace Accord showed the effectiveness of multi-party negotiations and also provided a persuasive model for an all-party conference to negotiate transitional arrangements, principles and procedures for the urgent task of drafting a new constitution. President De Klerk had undertaken to negotiate transitional arrangements to ensure that the Government would be unable to misuse its position of power to the detriment of its discussion partners, and his offer should be taken up in the all-party

(Mr. Trottier, Canada)

conference. The foundation for such arrangements, which already existed in the new National Peace Committee and the various ANC/government working groups, should be extended to provide representative and transparent administration of the security forces, broadcasting and social sectors among oters.

18. Certain obstacles to negotiations remained: a number of political prisoners were still being held by the Government and the so-called homelands. International calls for their release must be heeded urgently. Canada supported the Secretary-General's proposal to establish a single list of alleged political prisoners and to refer disputed cases to a panel of independent experts or an independent jurist. In the meantime, undue focus on obstacles would delay negotiations with the Government and would only serve to perpetuate the human rights problems referred to above, which were far more widespread.

19. South Africa's agreement with the United Nations High Commissioner for Refugees was a landmark. Its accession to the Treaty on the Non-Proliferation of Nuclear Weapons and the resulting safeguards agreement were a great advance for regional peace. Canada shared the Secretary-General's view that ratification of the International Covenants on Human Rights would be a major step. It also urged South Africa to accede to the International Convention on the Elimination of All Forms of Racial Discrimination.

20. Further progress would inevitably raise the question of South Africa's resumed participation in the General Assembly and the specialized agencies. Once that was resolved, other issues, including arrears, would then become more manageable. The greatest encouragement that the international community could offer would be a pledge that the new South Africa would be welcomed back to the United Nations.

21. Mr. LAPOUGE (France) said that, while in recent years the United Nations and its Member States had made impressive progress in the direction of peace and democracy, no lasting structure of that kind could be built without the elimination of racist theories and practices, the existence of which threatened all countries. Aware of that fact, his country had, under its Act of 13 July 1990, supplemented its programme to combat racism by, inter alia, increasing penalties, strengthening the capacities for action of anti-racist association, and curbing provocative statements in the media. Under the Act, an advisory committee on human rights submitted annually to the French Government a report on action to combat racism.

22. States were responsible not only for the prevention and suppression of racist acts; they must also promote relations between people. In that connection, the European Community was perhaps a unique example in recent history of a voluntary action intended to overcome the fears and rivalries inherited from the past. The Treaty of Rome prohibited any discrimination based on nationality. The forthcoming elimination of national barriers to the

(Mr. Lapouge, France)

free circulation of individuals within the European Community would cap the achievement and would establish a genuine European citizenry, which he hoped would extend beyond the bounds of the Community.

23. In spite of national and regional concerns, States should not lose sight of the universal nature of the struggle against racism and racial discrimination. His country commended the work accomplished by the Committee on the Elimination of Racial Discrimination, the Subcommission on Prevention of Discrimination and Protection of Minorities and the Centre for Human Rights. It endorsed the approaches and actions proposed by the Secretary-General in his report on the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination (E/1991/39).

24. As the end of the Second Decade drew near, his delegation had three hopes in that regard. First, no differences should be allowed to weaken the consensus in the international community that racism and racial discrimination must be eliminated.

25. Secondly, the programmes for the Second Decade should be translated into action. The first responsibility of States was to strengthen legal measures against racial discrimination and, accordingly, his country welcomed the forthcoming publication of model legislation to serve as guidelines for Governments. But combating racism was not solely a matter for Governments; the media played a major role in forming national and international public opinion in that field. There should also be greater participation of associations and non-governmental organizations in actions carried out by States. Such groups had been responsible for a number of measures adopted by the French Government to combat racism.

26. Thirdly, the important role of the Committee on the Elimination of Racial Discrimination would be further strengthened if more States were to make the declaration provided for under article 14 of the International Convention, thus recognizing the competence of the Committee to receive and consider communications from individuals or groups of individuals. Above all, the Committee must have adequate and regular funding. For the time being, and until a durable solution was found, his country supported the Secretary-General's proposal in his report on the financial situation of the Committee (A/46/447) to establish a "contingency reserve fund", in accordance with Commission on Human Rights resolution 1990/25. He also wished to state that France had now discharged its outstanding financial obligation with respect to the Committee.

27. His country reiterated its absolute condemnation of apartheid and called for its immediate and unconditional eradication. He wished nevertheless to note the extremely positive changes which had recently occurred and to pay tribute to those who had made them possible, Mr. Nelson Mandela and President De Klerk. The rescinding of the four laws on which apartheid was based was

(Mr. Lapouge, France)

the most tangible sign of the irreversible nature of those developments. Another encouraging event was the signing of the national peace accord. South Africa seemed at last in a position to reduce socio-economic disparities and to engage in negotiations leading to the adoption of a new constitution. His country, along with its partners in the European Community, offered its full support to that process.

28. He wished to pay tribute to the new Members of the United Nations. Their example would serve as an inspiration in the continuing struggle of peoples for self-determination, to which France pledged its full support.

29. Mr. O'BRIEN (New Zealand) said that his country, as a multiracial society, sought to guarantee true racial equality for all: the indigenous Maori people, others of New Zealand descent - the Pakeha - and those who had arrived more recently from the Pacific, Asia and Europe.

30. In recent years, New Zealand had directed its efforts to rectifying past wrongs. In 1975 it had initiated a process of hearings on claims under the 1840 Treaty governing relations between Maori, Pakeha and immigrants. The 1971 Race Relations Act promoted racial equality in New Zealand and implemented the International Convention on the Elimination of All Forms of Racial Discrimination. The pattern of Maori underachievement had been a matter for serious concern for successive Governments. The recent Ka Awatea report had proposed improved access to various government services, and a new Ministry of Maori Development had been established to implement the proposals. There was a general admission within New Zealand society of the outstanding issues which the nation must face, and his Government was addressing them as quickly as possible.

31. Despite the efforts of the United Nations, racism continued in many parts of the world. Apartheid was racial discrimination at its worst, and New Zealand actively supported international efforts to bring apartheid to an end by peaceful means. Until the establishment of a non-racial democratic society was complete, recent encouraging changes could not be regarded as fundamental. His delegation supported the early commencement of negotiations on a new constitution.

32. New Zealand had always adhered closely to the approach of the Commonwealth Heads of Government on South Africa, including its policy on the phased relaxation of sanctions. It was New Zealand's objective to ensure that the Commonwealth and the United Nations continued to influence the situation in South Africa.

33. The Committee on the Elimination of Racial Discrimination (CERD) played a particularly important role in monitoring compliance by States with their obligations. CERD's recent dialogue with the Subcommission on Prevention of Discrimination and Protection of Minorities had been useful, and in the future it should be broadened to include the Working Group on Indigenous Populations.

(Mr. O'Brien, New Zealand)

34. New Zealand urged that States parties must meet their financial obligations in respect of CERD and other treaty bodies. The situation facing CERD had reached such proportions that the time had come for practical long-term relief; financial constraints must not continue to impair its monitoring role. Future funding from the regular budget was therefore one option that must be explored.

35. Turning to the issue of self-determination, he said that New Zealand welcomed the restoration of independence to the three Baltic States and their admission to the United Nations. It was also gratified that self-determination was running its just course in New Caledonia. The rights of all New Caledonians, particularly the indigenous Kanak people, must be respected.

36. His Government welcomed the progress made in Cambodia and had offered practical assistance to help restore peace to that troubled country.

37. New Zealand shared with others a deep desire to see a peaceful settlement of the Middle East question and applauded the efforts of the United States Secretary of State to promote a conference. Any settlement must be on the basis of Security Council resolution 242 (1967) and must recognize the right of the Palestinians to self-determination, including the right to establish their own State, if that was their wish.

38. New Zealand was very concerned about the situation in Myanmar, where a democratically elected Government had still not been able to take office.

39. The overthrow of Haiti's democratically elected Government ran counter to the democratic process occurring in Latin America and elsewhere. New Zealand welcomed the efforts of the Organization of American States to redress the situation. The United Nations, which had helped bring about a democratic Government in Haiti, must continue to take an active interest in the matter.

The meeting rose at 11.15 a.m.